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REMARKS

This is a full and timely response to the outstanding Office Action mailed March 15, 2006. Upon entry of the amendments in this response claims 1-3, 6, 10-23, 26, 30-36, 39, 43-48, and 51 are pending. More specifically, claims 1, 6, 17, 26, 30, 39, 43, and 51 are amended; and claims 4, 5, 7-9, 24, 25, 27-29, 37, 38, 40-42, 49, 50, and 52-54 are canceled. Claims 4, 5, 7-9, 24, 25, 27-29, 37, 38, 40-42, 49, 50, and 52-54 are canceled without prejudice or disclaimer. Applicant takes this action merely to reduce the number of issues and to facilitate early allowance and issuance of the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if applicant so chooses, and does not intend to dedicate any of the canceled subject matter to the public. These amendments are specifically described hereinafter.

I. Present Status of Patent Application

Claims 1-14 and 17-54 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Kamen, et al* (U.S. Patent No. 6,421,067) in view of *Lemmons, et al* (U.S. Patent No. 6,442,775). To the extent that these rejections have not been rendered moot by the cancellation of claims, they are respectfully traversed.

II. Examiner Interview

Applicant first wishes to express sincere appreciation for the time that Examiners Jones and Grant spent with Applicant's representative Benjie Balser during a June 13, 2006 telephone discussion regarding the above-identified Office Action. Applicant believes that various features described in the patent application and recited in the claims, including the number of channels presented concurrently, and *Kamen* were discussed during the telephone discussion, and that the outcome of this discussion is addressed herein. During that conversation, Examiners Jones and Grant seemed to indicate that it would be potentially beneficial for Applicant to file this

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amendment and response. Thus, Applicant respectfully requests that Examiners Jones and Grant carefully consider this amendment and response.

III. Rejections Under 35 U.S.C. §102(e)

A. Claims 1-3 and 10-14

The Office Action rejects claims 1-3 and 10-14 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 1 as amended recites:

1. A system for providing interactive media services comprising:
memory for storing *interactive program guide (IPG) configuration data that is used to determine an IPG channel listing characteristic where the channel listing characteristic is at least one of the following:*

number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel; and

logic configured to modify the IPG configuration data in response to a first user input requesting a change in the IPG screen characteristic.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

Applicant respectfully submits that independent claim 1 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **interactive program guide (IPG) configuration data that is used to determine an IPG channel listing characteristic where the channel listing characteristic is at least one of the following: number of channels presented concurrently, identity of channels presented, or identity of**

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an initially highlighted channel. Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel. Therefore, *Kamen* does not anticipate independent claim 1, and the rejection should be withdrawn.

Because independent claim 1 as amended is allowable over the cited references of record, dependent claims 2, 3, and 10-14 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2, 3, and 10-14 contain all the steps/features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, since dependent claims 2, 3, and 10-14 are patentable over *Kamen*, the rejection to claims 2, 3, and 10-14 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 2, 3, and 10-14 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence there are other reasons why dependent claims 2, 3, and 10-14 are allowable.

B. Claim 6

The Office Action rejects claim 6 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 6 as amended recites:

6. A system for providing interactive media services comprising:
memory for storing *interactive program guide (IPG) configuration data that is used to determine an IPG time listing characteristic where the time listing characteristic is at least one of the following:*

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number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented; and

logic configured to modify the IPG configuration data in response to a first user input requesting a change in the IPG screen characteristic.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 6 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **interactive program guide (IPG) configuration data that is used to determine an IPG time listing characteristic where the time listing characteristic is at least one of the following: number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented;** Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented. Therefore, *Kamen* does not anticipate independent claim 6, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 6, and the rejection should be withdrawn.

C. Claims 17-23

The Office Action rejects claims 17-23 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 17 as amended recites:

17. A method for configuring a user interface, comprising:
receiving a first user input requesting a change in an ***interactive program guide (IPG) channel listing characteristic where the channel listing characteristic is at least one of the following:***

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number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel; and modifying IPG configuration data stored in memory in response to receiving the first user input, where the IPG configuration data is used to determine the IPG screen characteristic.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 17 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **interactive program guide (IPG) channel listing characteristic where the channel listing characteristic is at least one of the following: number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel**. Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel. Therefore, *Kamen* does not anticipate independent claim 17, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 17, and the rejection should be withdrawn.

Because independent claim 17 as amended is allowable over the cited references of record, dependent claims 18-23 (which depend from independent claim 17) are allowable as a matter of law for at least the reason that dependent claims 18-23 contain all the steps/features of independent claim 17. Therefore, since dependent claims 18-23 are patentable over *Kamen*, the rejection to claims 18-23 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 17, dependent claims 18-23 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence there are other reasons why dependent claims 18-23 are allowable.

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D. Claim 26

The Office Action rejects claim 26 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 26 as amended recites:

26. A method for configuring a user interface, comprising:
receiving a first user input requesting a change *in an interactive program guide (IPG) time listing characteristic where the time listing characteristic is at least one of the following:*
number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented; and
modifying IPG configuration data stored in memory in response to receiving the first user input, where the IPG configuration data is used to determine the IPG screen characteristic.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 26 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least in an **interactive program guide (IPG) time listing characteristic where the time listing characteristic is at least one of the following: number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented**. Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented. Therefore, *Kamen* does not anticipate independent claim 26, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 26, and the rejection should be withdrawn.

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E. Claims 30-36

The Office Action rejects claims 30-36 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 30 recites:

30. A method for configuring a user interface, comprising:
receiving a first user input requesting a change in *an interactive program guide (IPG) channel listing characteristic, where the channel listing characteristic is at least one of the following:*

number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel; and

changing the IPG screen characteristic in accordance with the first user input.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 30 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **an interactive program guide (IPG) channel listing characteristic, where the channel listing characteristic is at least one of the following: number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel**. Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel. Therefore, *Kamen* does not anticipate independent claim 30, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 30, and the rejection should be withdrawn.

Because independent claim 30 as amended is allowable over the cited references of record, dependent claims 31-36 (which depend from independent claim 30) are allowable as a

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matter of law for at least the reason that dependent claims 31-36 contain all the steps/features of independent claim 30. Therefore, since dependent claims 31-36 are patentable over *Kamen*, the rejection to claims 31-36 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 30, dependent claims 31-36 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence there are other reasons why dependent claims 31-36 are allowable.

F. Claim 39

The Office Action rejects claim 39 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 39 as amended recites:

39. A method for configuring a user interface, comprising:
receiving a first user input requesting a change in *an interactive program guide (IPG) time listing characteristic, where the time listing characteristic is at least one of the following:*

number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented; and

changing the IPG screen characteristic in accordance with the first user input.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 39 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **an interactive program guide (IPG) time listing characteristic, where the time listing characteristic is at least one of the following: number of time listings presented concurrently, coverage of a time listing, or**

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identity of time listings presented. Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented. Therefore, *Kamen* does not anticipate independent claim 39, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 39, and the rejection should be withdrawn.

G. Claims 43-48

The Office Action rejects claims 43-48 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 43 recites:

43. A method for configuring a user interface, comprising:
receiving a first user input identifying *an interactive program guide (IPG) screen channel listing characteristic, where the channel listing characteristic is at least one of the following:*
number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel; and
providing the user with an IPG screen that has the characteristic identified via the first user input.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 43 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **an interactive program guide (IPG) screen channel listing characteristic, where the channel listing characteristic is at least one of the following: number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel.** Even if, *arguendo*, *Kamen*

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discloses changing an IPG screen characteristic, it does not disclose configuring the number of channels presented concurrently, identity of channels presented, or identity of an initially highlighted channel. Therefore, *Kamen* does not anticipate independent claim 43, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 43, and the rejection should be withdrawn.

Because independent claim 43 as amended is allowable over the cited references of record, dependent claims 44-48 (which depend from independent claim 43) are allowable as a matter of law for at least the reason that dependent claims 44-48 contain all the steps/features of independent claim 43. Therefore, since dependent claims 44-48 are patentable over *Kamen*, the rejection to claims 44-48 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 43, dependent claims 44-48 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence there are other reasons why dependent claims 44-48 are allowable.

H. Claim 51

The Office Action rejects claim 51 under 35 U.S.C. §102(e) as allegedly being anticipated by *Kamen, et al* (U.S. Patent No. 6,421,067). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 51 as amended recites:

51. A method for configuring a user interface, comprising:
receiving a first user input identifying *an interactive program guide (IPG) time listing characteristic, where the time listing characteristic is at least one of the following:*
number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented; and
providing the user with an IPG screen that has the characteristic identified via the first user input.

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(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue.

Applicant respectfully submits that independent claim 51 as amended is allowable for at least the reason that *Kamen* does not disclose, teach, or suggest at least **an interactive program guide (IPG) time listing characteristic, where the time listing characteristic is at least one of the following: number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented.** Even if, *arguendo*, *Kamen* discloses changing an IPG screen characteristic, it does not disclose configuring the number of time listings presented concurrently, coverage of a time listing, or identity of time listings presented. Therefore, *Kamen* does not anticipate independent claim 51, and the rejection should be withdrawn. Therefore, *Kamen* does not anticipate independent claim 51, and the rejection should be withdrawn.

IV. Rejections Under 35 U.S.C. §103(a)

Claims 15 and 16

The Office Action rejects claims 15 and 16 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Kamen, et al* (U.S. Patent No. 6,421,067) in view of *Lemmons, et al* (U.S. Patent No. 6,442,775). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Because independent claim 1 is allowable over the cited references of record, dependent claims 15 and 16 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 15 and 16 contain all the steps/features of independent claim 1. Therefore, the rejection to claims 15 and 16 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 15 and 16 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patentably distinct from the cited

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references of record. Hence there are other reasons why dependent claims 15 and 16 are allowable.

Additionally, with regard to the rejection of claims 15 and 16, *Lemmons* does not make up for the deficiencies of *Kamen* noted above. Therefore, claims 15 and 16 are considered patentable over any combination of these documents.

V. Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-3, 6, 10-23, 26, 30-36, 39, 43-48, and 51 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,


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